United Nations S/2009/478

# Security Council

Distr.: General
22 September 2009

Original: English

## Letter dated 21 September 2009 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

In the context of the Security Council summit on nuclear non-proliferation and nuclear disarmament to be held in New York on 24 September 2009, I have the honour to forward certain important points that Pakistan feels should be considered in regard to general and complete disarmament under effective international controls and non-proliferation in all its aspects (see annex).

It is requested that the present letter and its annex be circulated as a document of the Security Council.

(*Signed*) Abdullah Hussain **Haroon**
Ambassador and Permanent Representative

09-52091 (E) 230909

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**Annex to the letter dated 21 September 2009 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council**

**Important points regarding nuclear disarmament and nuclear non-proliferation**

- The need to ensure a balanced outcome with regard to non-proliferation and disarmament issues

- The Security Council should not prejudge the process in the Conference on Disarmament or lay particular emphasis on work in the Conference on Disarmament on any particular issue, such as the fissile material cut-off treaty

- The outcome should promote the security interests of all States

- Disarmament and non-proliferation arrangements should be multilaterally negotiated, non-discriminatory and based on the principle of equal and undiminished security for all States

- The right of all States to participate on an equal footing in multilateral disarmament negotiations

- The primacy and centrality of the role of the United Nations in the spheres of non-proliferation and disarmament, in accordance with its Charter, must be reaffirmed

- Concrete progress towards nuclear disarmament and the primary responsibility of militarily significant States for halting and reversing the arms race

- The imperative to address asymmetries at the global and regional levels, which generate a sense of insecurity among States

- The need to strengthen the nuclear non-proliferation regime by bringing all States on board in an equitable and realistic manner

- Counter-proliferation efforts should not impede international cooperation in materials, equipment and technology for peaceful purposes

- The need to evolve universal and non-discriminatory criteria for international cooperation in the peaceful uses of nuclear energy, including nuclear power generation for energy security

- In parallel with efforts in the area of the non-proliferation of weapons of mass destruction and disarmament, the need to promote balanced reduction in conventional forces and conventional arms control at the global, regional and subregional levels

- Support for efforts by States to promote arms control, restraints and confidence-building measures at the regional and subregional levels

- To further the objectives of non-proliferation and disarmament, threats to peace must be reduced, and to that end effective action should be taken to eliminate tensions and settle disputes by peaceful means

United Nations A/64/362–S/2009/479

General Assembly
Security Council

Distr.: General
22 September 2009
English
Original: Arabic

**General Assembly**
**Sixty-fourth session**
Agenda item 15
**The situation in the Middle East**

**Security Council**
**Sixty-fourth year**

## Identical letters dated 18 September 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 1 to 14 September 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

09-52158 (E) 230909 240909

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## Annex to the identical letters dated 18 September 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

## Israeli violations, acts of aggression and other activities from 1 to 14 September 2009, inclusive

### Air violations

On 1 September 2009:

- Between 0640 and 1555 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying at a height of 16,000 feet, and left over Yarun.
- Between 0710 and 2030 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying at a height of 17,000 feet, and circled over the South and the Bekaa before leaving over Alma al-Sha`b.
- Between 1135 and 1315 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over Kafr Killa, flying north, and circled over all regions of Lebanon before leaving over Alma al-Sha`b.

On 3 September 2009:

- Between 0645 and 1130 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Rumaysh and flew north as far as Nabatiyah, circling over the South before leaving over the sea off Naqurah.
- Between 0932 and 1650 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and flew north as far as Sidon, circling over the South before leaving over the sea off Naqurah.
- Between 1222 and 1330 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over the sea off Naqurah and circled over all regions of Lebanon before leaving over Alma al-Sha`b.

On 4 September 2009:

- Between 0700 and 1215 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving over Alma al-Sha`b.

On 6 September 2009:

- Between 0845 and 1400 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north. It circled over the South before leaving over Alma al-Sha`b.

On 7 September 2009:

- Between 0735 and 1530 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying at a height of 20,000 feet, and circled over the Bekaa before leaving over Alma al-Sha`b.

On 8 September 2009:

- Between 0700 and 2010 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving over Naqurah.

- Between 1017 and 1127 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over Kafr Killa and circled over the South before leaving over Kafr Killa.

On 11 September 2009:

- Between 1648 and 1930 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over Tyre and Naqurah before leaving over Naqurah.

**Sea violations**

On 1 September 2009:

- At 0720 hours, an Israeli enemy gunboat in the open sea within occupied Palestinian territorial waters off Ra's Naqurah directed several bursts of medium-weapon gunfire over the water as a Lebanese fishing boat, driven by the movement of the currents, but without entering occupied Palestinian territorial waters, was approaching the region of buoy No. 8.

On 7 September 2009:

- At 2025 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds some 50 metres inside Lebanese territorial waters in the direction of buoy No. 2.

On 8 September 2009:

- At 2005 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds some 50 metres inside Lebanese territorial waters in the direction of a Lebanese fishing boat near buoy No. 4.

On 11 September 2009:

- At 0220 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds some 100 metres inside Lebanese territorial waters in the direction of the line of buoys.

- At 0500 hours, an Israeli enemy gunboat directed gunfire towards a Lebanese fishing boat within Lebanese territorial waters some five metres distant from the line of buoys, obliging it to retreat.

On 13 September 2009:

- At 1945 hours, the Israeli enemy, from its position off Ra's Naqurah, fired four tracer rounds over a Lebanese fishing boat within Lebanese territorial waters some 20 metres distant from buoy No. 3.

- At 1950 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds inside Lebanese territorial waters in the direction of the line of buoys.

– At 2015 hours, an Israeli enemy gunboat in occupied Palestinian territorial waters directed a searchlight for five seconds towards Lebanese territorial waters in the region of buoys Nos. 3 and 4.

– At 2020 hours, the Israeli enemy, from its position off Ra's Naqurah, violated Lebanese territorial waters, firing a number of rounds in the direction of the line of buoys.

On 14 September 2009:

– At 1940 hours, the Israeli enemy, from its position at Ra's Naqurah, directed five bursts of medium-weapon gunfire towards Lebanese territorial waters in the region of buoy No. 3.

**Acts of aggression in the field**

On 2 September 2009:

– At 2305 hours, an Israeli enemy patrol proceeding from the settlement of Misgav Am directed a searchlight for 10 seconds towards the Lebanese Army checkpoint at Addusiyah.

On 10 September 2009:

– At 1815 hours, a member of an Israeli enemy patrol within Palestinian territory opposite the Fatima gate directed verbal abuse towards a Lebanese Army recruit who was on sentry duty at the gate.

– At 1830 hours, a member of an enemy patrol directed verbal abuse towards Lebanese Army Major Sulayman Luhud who was exercising between points B84 and B85 (Kafr Killa).

On 11 September 2009:

– At 1535 hours, Israeli enemy forces fired 16 155-mm rounds of artillery fire, which landed outside the village of Qulaylah in the Tyre district, in response to the firing by unknown persons of two 122-mm Grad missiles that fell in the Aghzif region near Nahariyya inside occupied Palestinian territory. Subsequently, a number of communications from the Israeli enemy were received on the Lebanese land-line network in the Arabic language, to the effect that the rockets that had fallen within Israel would lead to the destruction of Lebanon; that Israel would retaliate; and that the Lebanese Army and Government would bear the responsibility.

On 14 September 2009:

– At 1130 hours, an Israeli enemy patrol inside occupied Palestinian territory opposite Kafr Killa-Fatima gate halted and one member thereof made an obscene finger gesture at Private Hatim Kassab, who was on guard duty at the aforementioned gate.

United Nations S/2009/480

Security Council

Distr.: General
23 September 2009

Original: English

## Note verbale dated 21 September 2009 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the President of the Security Council for the month of September, and, with regard to the summit meeting to be convened in connection with nuclear non-proliferation and nuclear disarmament on Thursday, 24 September 2009, has the honour to request that the written statement submitted by the Islamic Republic of Iran regarding the summit meeting (see annex) be issued and circulated as a document of the Security Council.

New York, 21 September 2009

09-52251 (E) 230909

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**Annex to the note verbale dated 21 September 2009 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council**

**Written statement of the Islamic Republic of Iran on nuclear disarmament and non-proliferation**

In view of the Security Council's summit meeting on nuclear disarmament and non-proliferation to be held on 24 September 2009, the Islamic Republic of Iran urges the Council members to seize this opportunity, after years of non-progress in nuclear disarmament, to constructively contribute to nuclear disarmament and non-proliferation by taking effective measures towards a nuclear-weapon-free world and the promotion of security for all. In this context, the Islamic Republic of Iran would like to state its positions on issues related to the theme of the Council's meeting, as follows:

**Nuclear disarmament**

1- The mere existence of nuclear weapons is a source of horror, distrust and threat. Nuclear disarmament is the highest priority on the disarmament agenda. It forms a fundamental part of the package agreed upon by the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1968. Despite the obligations under article VI of the Treaty and undertakings by the nuclear-weapon States in 1995 and 2000 NPT Review Conferences, the continued existence, development and deployment of thousands of nuclear warheads in their arsenals threaten international peace and security.

2- Lack of implementation of the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament under article VI of the Treaty is frustrating. This is a matter of deep concern. Despite the limited bilateral and unilateral arms reduction, such efforts are far below the international expectations for real and effective steps towards the total elimination of nuclear weapons and can never be a substitute for the obligation of nuclear-weapon States, namely the complete elimination of nuclear weapons. These reductions have not gone beyond the decommissioning of nuclear weapons. To be effective, reductions in nuclear weapons must be irreversible, internationally verifiable and transparent.

3- The nuclear-weapon States are obligated to comply with their legally binding commitments to the full implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. As a result of the blatant violations of these commitments by some nuclear-weapon States, the integrity of the NPT has been endangered, and the confidence of non-nuclear-weapon States in the credibility of the Treaty has been eroded.

4- The adoption of the 2002 Nuclear Posture Review by the United States, and the United Kingdom's Trident plan, which provide for the development of new types of nuclear weapons, the possible use or threat of use of nuclear weapons against non-nuclear-weapon States and

targeting nuclear weapons against non-nuclear-weapon States parties to the NPT, are in contravention of the assurances given by the nuclear-weapon States at the time of the conclusion of the NPT and its indefinite extension. More worrisome is the announcement by France regarding the addition of a nuclear-armed ballistic missile submarine to its nuclear arsenals. The president of that country was quoted as saying "French nuclear forces are a key element in Europe's security". To justify the continued retention of its nuclear arsenals, it appears that that country, in defiance of its international obligation, is seeking new roles for its nuclear forces. In so doing, French officials even resort to irresponsible methods such as manipulation of intelligence and frightening people to promote programmes that their people would otherwise not support.

5- Iran considers the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons. Pending the total elimination of these inhuman weapons, efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community.

6- We continue to believe in the need for negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including a nuclear weapons convention, and in this regard reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to legally prohibit, once and for all, the possession, development or stockpiling of nuclear weapons by any country and provide for the destruction of such inhuman weapons. Till the conclusion of a nuclear weapons convention similar to the Chemical Weapons Convention, the nuclear-weapon States must honour their obligations under the NPT and immediately stop:

- Any kind of development and research on nuclear weapons
- Any threat of use of nuclear weapons against non-nuclear-weapon States
- Any modernization of nuclear weapons and their facilities
- Deployment of nuclear weapons in the territories of other countries
- Maintaining their nuclear weapons in a trigger-alert situation

7- The international community expects nuclear-weapon States members of the Council to take concrete and effective measures towards nuclear disarmament, for example, by halting the development, production, design, modernization and acquisition of nuclear weapons and their delivery systems as well as by providing transparency regarding the size and status of their nuclear-weapon forces. Regrettably, the draft resolution to be adopted by the Security Council on 24 September 2009 demonstrates once again that there is no real intention among certain nuclear-weapon States to fulfil their obligations in order to create a world free from nuclear weapons.

## Nuclear non-proliferation

8- The Islamic Republic of Iran strongly believes that the best way of ensuring the non-proliferation of nuclear weapons is the full and non-selective implementation of the NPT and ensuring its universality. In this context, failure in the implementation of effective measures of nuclear disarmament increases the danger of the proliferation of nuclear weapons.

9- It has been widely recognized that the non-proliferation obligations of the NPT non-nuclear-weapon States are being successfully implemented. Non-proliferation challenges have largely originated from the non-compliance of some nuclear-weapon States with their obligations under article I and paragraph 2 of article III of the NPT. Cases of transfer of nuclear-weapon technology by certain nuclear-weapons States to non-parties to the NPT, and nuclear-weapon-sharing under security arrangements with non-nuclear-weapon States are clear examples in this regard.

10- The 2000 agreement between the United States and the Zionist regime, which has enabled the Zionist regime to have access to most of United States nuclear data and technology, is an evident non-compliance by the United States with non-proliferation obligations under the NPT.

11- The proliferation of nuclear weapons by certain nuclear-weapon States is the most immediate danger threatening the non-proliferation regime while there are no provisions for verification of their obligations under article I. Thus, establishing a strong mechanism, similar to the one under article III of the NPT, to verify the implementation of article I by nuclear-weapon States is an essential component of any collective efforts to strengthen the Treaty. Furthermore, in order to take measures to strengthen non-proliferation, the nuclear-weapon States must refrain from cooperating with non-parties to the NPT and undertake not to transfer any nuclear material, equipment, information, knowledge and technology to them.

12- The durable solution to remove the proliferation and the use of nuclear weapons is the total rejection of nuclear deterrence through a universal nuclear disarmament treaty. Unfortunately, the draft resolution to be adopted by the Security Council on 24 September 2009 displays neither any real intention by the nuclear-weapon States to put aside their nuclear deterrence policy nor address the above-mentioned concerns of the international community regarding their role in nuclear proliferation.

## Nuclear-weapon-free zone in the Middle East

13- The universality of the NPT, in particular in the regions of tension, should be vigorously promoted. In this context, the implementation of the 1995 resolution on the Middle East as a zone free from nuclear weapons is an essential measure which would greatly contribute to nuclear disarmament and non-proliferation.

14- The resolution on the Middle East, as reaffirmed in the Final Document of the 2000 NPT Review Conference, is an essential element of the package of agreements in the 1995 NPT Review and Extension Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.

15- Despite repeated calls by the international community demonstrated in the resolution on the Middle East adopted by the 1995 NPT Review and Extension Conference, related resolutions of the United Nations General Assembly as well as those of the International Atomic Energy Agency (IAEA) and the Organization of the Islamic Conference, the Zionist regime has neither acceded to the Treaty nor placed its nuclear facilities under full scope of IAEA safeguards. It has not even declared its intention to accede to the Treaty. This regime is the only non-party to the Treaty on the Non-Proliferation of Nuclear Weapons in the Middle East region. Its unlawful nuclear-weapons programme, which has been assisted by the United States and France, seriously threatens both regional and international peace and security, and has endangered the non-proliferation regime.

16- The Islamic Republic of Iran is of the opinion that pending the realization of the nuclear-weapon-free zone in the region, no country of the region must acquire nuclear weapons or permit the stationing of nuclear weapons or nuclear explosive devices on its territory or under its jurisdiction or control, and should refrain from actions that run counter to both the letter and the spirit of the NPT and the General Assembly resolutions and documents relating to the establishment of a nuclear-weapon-free zone in the Middle East.

17- Unfortunately, the inaction imposed upon the Security Council by the United States over the past several decades in addressing the well-documented nuclear-weapons programme of the Zionist regime has given the audacity to the said regime to explicitly acknowledge the unlawful possession of nuclear weapons. It is undisputable that nuclear weapons in the hands of the Zionist regime, with an unparalleled record of non-compliance with Security Council resolutions and a long and dark catalogue of crimes and atrocities such as occupation, aggression, militarism, State terrorism, crimes against humanity and apartheid, pose a uniquely grave threat to regional and international peace and security. The Security Council should fulfil its Charter-based responsibility to address such a clear and serious threat to international peace and security and take prompt and appropriate actions accordingly. The draft resolution to be adopted on 24 September 2009 shows that the Security Council's approach towards the nuclear threat posed by Zionist regime remains unchanged.

**Peaceful research, production and use of nuclear energy**

18- The inalienable right of all NPT States parties to nuclear technology for peaceful purposes without discrimination indeed constitutes one of the basic pillars of the Treaty. The balance between rights and obligations, which is the basis of any sound legal instrument, guarantees the longevity of the NPT by providing incentives for membership and compliance.

19- Non-proliferation measures or further progress in strengthening safeguards must not prejudice the national development of peaceful uses of nuclear energy or cooperation among NPT States parties for peaceful uses.

20- The inalienable rights of the States parties, as stipulated in the NPT, extends to all aspects of peaceful technologies and are not limited to specific areas. In this connection, the 2000 NPT Review Conference reiterated that "each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies".

21- The Islamic Republic of Iran is determined to pursue all legal aspects of nuclear technology, including fuel cycle and enrichment, exclusively for peaceful purposes. No one should cherish the illusion that any proposals or measures which amount to cessation or even suspension of a lawful activity under IAEA supervision will be accepted.

22- Instead of raising general and non-binding issues on nuclear disarmament, it was expected that the permanent members of the Security Council commit themselves to take serious and practical steps towards the lofty goal of achieving a world free from nuclear weapons. The permanent members, rather than adopting such a resolution, which will not remove the international community's concern over the existence of thousands of nuclear warheads, should courageously declare their readiness to destroy their nuclear arsenals.

23- In conclusion, it should be underlined that the Security Council resolutions on the peaceful nuclear activities of the Islamic Republic of Iran are unlawful and against the United Nations Charter. Such politically motivated resolutions exclusively aim to ignore the inalienable rights of the NPT States parties to use nuclear energy for peaceful purposes under article IV of the NPT. Referring to those resolutions in the outcome of the Council meeting on 24 September 2009 provide them no legal credibility or value. It only leads to more abating of the value of the draft resolution to be adopted on 24 September 2009.

United Nations S/2009/481

Security Council

Distr.: General
23 September 2009

Original: English

**Letter dated 22 September 2009 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council**

On instructions from my Government, I have the honour to request that the attached Philippine position paper on nuclear non-proliferation and nuclear disarmament, submitted in connection with the Security Council summit on nuclear non-proliferation and nuclear disarmament on 24 September 2009, be circulated as a document of the Security Council (see annex).

(*Signed*) Hilario G. **Davide**, Jr.
Permanent Representative

09-52264 (E) 240909

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## Annex to the letter dated 22 September 2009 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

## Position paper presented by the Republic of the Philippines to the United Nations Security Council summit on nuclear non-proliferation and nuclear disarmament

**24 September 2009**

The Philippines commends the presidency of the United States of the Security Council for initiating the holding of the Security Council summit on nuclear non-proliferation and nuclear disarmament. The Philippines very respectfully submits that one of the keys to the promotion of international peace and security is the elimination and prevention of the spread of nuclear weapons. Towards this end it will neither tire nor cease in its efforts to achieve success as the President-elect of the 2010 NPT Review Conference and as Vice-Chair of the First Committee (Disarmament and International Security) of the sixty-fourth session of the General Assembly.

The end of the Cold War should have brought with it the dismantling and elimination of all nuclear weapons. Instead, they continue to exist, creating political tensions and fears that raise the possibility of miscalculation among States and, worse yet, the threat of nuclear terrorism from non-State actors.

The world was spared from a nuclear exchange 47 years ago, or in 1962, when world leaders realized there can be no victory in a nuclear war. The Security Council, and the United Nations as a whole, played a significant part in helping diffuse the situation, which could have spiralled out of control and led to a nuclear holocaust.

Once again, the world or humanity itself calls upon the Security Council to act in concert and agree on measures to promote and maintain international peace and security by giving clear direction and guidance on ensuring nuclear non-proliferation and nuclear disarmament, bearing in mind the current challenges, which include non-conventional threats from non-State actors. It is only fitting, proper and wise that the Security Council take action, since five countries that possess nuclear weapons are members of the Council. It must, however, always factor in the views and concerns of the rest of the international community in the decision-making process since the issue involves all Member States.

The Philippines, as a matter of national policy, renounces nuclear weapons. Article II, section 8 of the Philippine Constitution states: "The Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory." The Philippines is a State party to the Treaty on the Non-proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment. Furthermore, the Philippines is a signatory to the Convention for the Suppression of Acts of Nuclear Terrorism.

The Philippines maintains that the NPT is the cornerstone of global nuclear non-proliferation and disarmament and is central to the promotion and maintenance of international peace and security. Thus, it complies fully with all its obligations

under the NPT; gives equal importance to all three pillars of the Treaty, namely, nuclear non-proliferation, nuclear disarmament, and peaceful uses of nuclear energy; and believes that there can never be progress on one pillar without progress on the others. The Philippines hopes that all other States Parties to the NPT would do the same.

The Philippines calls upon States not yet parties to the NPT to accede to it in order to achieve and promote the universality of the Treaty. The Philippines gives great importance to nuclear disarmament and calls upon the five Nuclear-Weapon States (NWS) to lead by example and dismantle, in an irreversible and verifiable manner, their nuclear weapons. It commends the United States and the Russian Federation for agreeing to renew the Strategic Arms Reduction Treaty, which is due to expire by December of 2009. More actions in this regard from the Nuclear-Weapon States (NWS) are needed.

The Philippines believes that the total elimination of nuclear weapons is the only guarantee against the use or threat of use of nuclear weapons. Thus, in the meantime, it supports calls for the conclusion of a universal, unconditional, and legally binding instrument on security assurances to non-nuclear-weapon States.

The Philippines calls on all States Parties to the NPT to provide regular reports within the framework of the Strengthened Review Process for the NPT, on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament", and wishes to stress the advisory opinion of the International Court of Justice of 8 July 1996.

The Philippines believes that States with nuclear weapons should de-emphasize their importance in their defence policies, and make plans for the eventual elimination of nuclear arsenals.

The Philippines recognizes the importance of the International Atomic Energy Agency (IAEA) Safeguards Agreements, together with that of the Additional Protocol and their contribution to the promotion of nuclear non-proliferation.

The Philippines believes that it is the inalienable right of States to pursue peaceful uses of nuclear energy without discrimination. It commends States that have put forth proposals for a multilateral approach to the nuclear fuel cycle, but holds the view that any such proposal should not affect the inalienable right of a State to research, develop, and use nuclear energy for peaceful means.

The Philippines places much emphasis on the need to respect nuclear-weapon-free zones, such as those created by the Treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba, the Central Asian nuclear weapon free zone treaty, and Mongolia's nuclear-weapon-free zones status. It further supports the creation of a Middle East Nuclear Weapons Free Zone. As regards the Bangkok Treaty, the Philippines calls upon all States with nuclear weapons to accede to the Protocol of the Treaty.

The Philippines recognizes the importance of the entry into force of the CTBT and calls upon the remaining nine (9) Annex 2 States whose signatures and ratifications are required to take the necessary action for its entry into force. The Philippines also calls upon its Association of Southeast Asian Nations (ASEAN) neighbours who are not included in Annex 2, but have yet to ratify the CTBT, to do so as well.

The Philippines supports the International Monitoring System of the CTBTO Preparatory Commission by being host to three of its monitoring stations.

The Philippines places much importance on the creation of a Treaty banning the production of fissile material for nuclear weapons and hopes that the Conference on Disarmament (CD) can negotiate such a Treaty soon. It also believes that the CD is the appropriate venue for the negotiation of a Nuclear Weapons Convention.

The Philippines is cognizant of the need to reduce the risk of nuclear terrorism and, therefore, urges all States with nuclear arsenals to take utmost care in securing such weapons from loss, such as through theft.

The Philippines believes in the importance of medical research being conducted with the use of highly enriched uranium, but understands the need to keep as secure as possible such material, which can be used for the creation of nuclear weapons. Thus, it supports calls for the conversion of research reactors and radioisotope production processes to use low enriched uranium.

The Philippines is greatly encouraged to note the renewed focus and interest being given by the global community to address nuclear non-proliferation and nuclear disarmament. This new shift demonstrates flexibility and openness to arrive at a meaningful result. The Philippines submits that what is needed is a strong political will and utmost transparency and good faith. States have heard the calls from all sectors of society. It is the duty of those who are in a position to give direction and determine policies, those who are in this very Council chamber, to heed these calls and act upon them with determination and resolve. The present positive climate in the area of nuclear non-proliferation and nuclear disarmament must be sustained to help ensure the success of the 2010 NPT Review Conference. We must, therefore, take full advantage of this positive climate to bring to a successful conclusion the upcoming meeting through a spirit of compromise and flexibility and a genuine willingness to act on behalf of what is best for all: **the complete and total elimination of nuclear weapons**.

In view of the foregoing, the Philippines hopes that the summit on nuclear non-proliferation and nuclear disarmament of the Security Council will result in identifying concrete actions to promote nuclear non-proliferation and nuclear disarmament, which, in turn, can be translated into agreements at the upcoming 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

United Nations S/2009/482

Security Council

Distr.: General
23 September 2009

Original: English

## Letter dated 23 September 2009 from the Permanent Representative of Kazakhstan to the United Nations addressed to the President of the Security Council

In reference to the concept paper for the Security Council summit on nuclear non-proliferation and nuclear disarmament, to be held on 24 September 2009 (S/2009/463), I have the honour to transmit herewith the text of the statement of H.E. Mr. Kanat Saudabayev, Secretary of State — Minister of Foreign Affairs, of the Republic of Kazakhstan (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Byrganym **Aitimova**
Ambassador

09-52271 (E) 240909

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## Annex to the letter dated 23 September 2009 from the Permanent Representative of Kazakhstan to the United Nations addressed to the President of the Security Council

## Statement by His Excellency Mr. Kanat Saudabayev, Secretary of State — Minister of Foreign Affairs, of the Republic of Kazakhstan, prepared for the Security Council summit on nuclear non-proliferation and nuclear disarmament

Mr. President,

Mr. Secretary-General,

Ladies and gentlemen,

The prospect of nuclear weapons proliferation, along with the risk of their acquisition and use by terrorist organizations, remains one of the most serious threats to mankind.

As a country that has experienced the horrors of nuclear tests, shut down the world's second largest nuclear testing site, and voluntarily renounced the world's fourth largest nuclear and missile arsenal, Kazakhstan has an absolute moral right to call for more decisive actions in the area of disarmament and the radical strengthening of the weapons of mass destruction non-proliferation regime.

In particular, Kazakhstan deems it important to ensure the soonest entry into force of the Comprehensive Nuclear-Test-Ban Treaty. We are inspired by the intentions of U.S. President Barack Obama to give a new impetus to this process.

Kazakhstan stands for the strengthening and ensuring the universality of the Treaty on the Non-Proliferation of Nuclear Weapons. We have to acknowledge that the Treaty is asymmetric in providing sanctions only against non-nuclear-weapon States, although the nuclear powers themselves should set examples by reducing and renouncing their nuclear arsenals.

Today, it is necessary to take even more decisive actions. The President of the Republic of Kazakhstan, Nursultan Nazarbayev, has proposed to develop a new, universal comprehensive horizontal and vertical nuclear weapons non-proliferation treaty.

An effective measure to strengthen the non-proliferation regime could be the establishment of an international nuclear fuel bank under the auspices of the International Atomic Energy Agency, and Kazakhstan is ready to consider the possibility of locating it on our territory.

One of the considerable contributions made by Kazakhstan and the Central Asian States to the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons was the entry into force in March 2009 of the Treaty on the Nuclear-Weapon-Free Zone in our region. The peculiarity of this zone is that it is located between the two largest nuclear powers. The zone could play a large practical role in preventing the uncontrolled proliferation of nuclear materials, as well as in fighting nuclear terrorism. We count on the support to the Central Asian zone, firstly, from the nuclear powers, meaning a possibility of providing negative security guarantees.

We support the U.S. initiative to hold the Global Nuclear Security Summit next year.

I would also like to draw the attention of the Security Council to the proposal of the President of Kazakhstan on announcing 29 August as the International Day for a World Free of Nuclear Weapons. On this day in 1949, the Soviet Union conducted its first nuclear test at the Semipalatinsk Nuclear Polygon, and on the same day, in 1991 the test site was shut down, once and for all, by our President's Decree.

Today, the time has more than come for all United Nations Member States to make decisive steps towards a world free from nuclear weapons, a world that is safer and better for all.

New York, 24 September 2009

United Nations S/2009/483

# Security Council

Distr.: General
23 September 2009

Original: English

## Letter dated 23 September 2009 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a paper outlining India's approach and perspectives regarding the Security Council's summit meeting on nuclear non-proliferation and nuclear disarmament to be held in New York on 24 September 2009 (see annex).

I would be grateful if you could kindly arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Hardeep Singh **Puri**

09-52305 (E) 240909

Please recycle

## Annex to the letter dated 23 September 2009 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council

We wish to place on record India's approach and perspectives with regard to the Summit level meeting of the United Nations Security Council to be held on 24 September 2009.

India welcomes the initiative taken by the United States, as current President of the Council, to convene a Summit level meeting to consider matters relating to Nuclear Non-Proliferation and Nuclear Disarmament. This is an issue of global importance in which the entire international community has a vital interest.

India has an unwavering commitment to global efforts for preventing the proliferation of weapons of mass destruction and their means of delivery. These efforts are in India's interest as the infirmities of the non-proliferation regime have had an adverse impact on our security. We support the two global and non-discriminatory international conventions banning chemical and biological weapons and efforts for strengthening their implementation.

During the 63rd Session of the United Nations General Assembly, India's Prime Minister reiterated our proposal for a Nuclear Weapons Convention prohibiting the development, production, stockpiling and use of nuclear weapons and providing for their complete elimination within a specified time frame. This policy reaffirms the highest priority we attach to the goal of nuclear disarmament enshrined in the Rajiv Gandhi Action Plan of 1988.

Nuclear disarmament can be achieved through a step-by-step process underwritten by a universal commitment for global elimination of nuclear weapons. India has suggested a number of measures in this regard, including reaffirmation of the unequivocal commitment by all nuclear weapon states to the goal of complete elimination of nuclear weapons. Consideration could also be given to specific legal measures, including a Global No First Use Agreement and negotiation of a Convention on the Prohibition of the use of Nuclear weapons. Measures to reduce nuclear dangers arising from accidental or unauthorized use of nuclear weapons are also pertinent in this regard. There is an imperative need for preventing terrorists from gaining access to weapons of mass destruction.

The Security Council's consideration of this issue is based on a widely shared concern about the threat posed by all nuclear weapons to international peace and security. Addressing this threat requires the global elimination of nuclear weapons on a non-discriminatory basis. While preventing proliferation is important, an excessive focus on non-proliferation does a disservice to the essential principle of the mutually reinforcing linkage between disarmament and non-proliferation. International efforts in this regard should build the necessary confidence among states so that international treaties and agreements are multilaterally negotiated and freely accepted which remains the true test of their legitimacy and credibility.

At the same time, states should fully and effectively implement the obligations arising from the agreements or treaties to which they are parties. Non-proliferation obligations arise from international agreements or treaties to which states are parties and issues of non-compliance should be addressed in accordance with the provisions

contained within those international agreements or treaties. The role of the Security Council would arise if those treaties themselves provide for such a role.

India cannot accept externally prescribed norms or standards on matters within the jurisdiction of its Parliament or which are not consistent with India's constitutional provisions and procedures, or are contrary to India's national interests or infringe on its sovereignty. India cannot comply with non-proliferation obligations to which it has not provided its sovereign consent.

India's position on the Nuclear Non-Proliferation Treaty (NPT) is well-known. We cannot accept any obligations arising from treaties that India has not signed or ratified. This position is consistent with the fundamental principles of international law and the Law of Treaties. India cannot accept calls for universalization of the NPT. As India's Prime Minister stated in Parliament on 29 July 2009, there is no question of India joining the NPT as a non-nuclear-weapon State. Nuclear weapons are an integral part of India's national security and will remain so, pending non-discriminatory and global nuclear disarmament.

We remain committed to a voluntary, unilateral moratorium on nuclear testing. We do not subscribe to any arms race, including a nuclear arms race. We have always tempered the exercise of our strategic autonomy with a sense of global responsibility. We affirm our policy of no-first-use of nuclear weapons.

India attaches importance to the Conference on Disarmament (CD) as the single multilateral disarmament negotiating forum. We have stated our willingness to participate constructively in the FMCT negotiations in the CD as part of its Programme of Work. India is a nuclear-weapon State and a responsible member of the world community, and would approach these negotiations as such.

India places great value on the role played by the IAEA's nuclear safeguards system, which is of critical importance to facilitate expansion of nuclear energy to meet global energy needs in a clean and sustainable manner, while reducing proliferation risks. All states have a right to peaceful uses of nuclear energy in accordance with the obligations they have undertaken. A number of agreements and reciprocal commitments were concluded as part of the India civil nuclear initiative. The IAEA's authority to apply safeguards or verify undeclared activity is derived from the specific safeguards agreements concluded with it by its member States. We support international cooperative measures to combat nuclear terrorism and to improve nuclear security, and in this context, look forward to the convening of the Global Summit on Nuclear Security in 2010.

The contributions of various organs of the United Nations, including that of the Security Council should be in accordance with their Charter responsibilities. During the 1992 Security Council Summit on Non-Proliferation, India, which was represented on the Council, had stated that while prescribing norms and standards for national or international conduct, the Security Council must scrupulously accept those norms for itself. It is clear that the international community would look to the countries with substantial nuclear arsenals represented on the Council for meaningful steps towards nuclear disarmament.

Working towards our common objectives would require a steadfast commitment to genuine multilateralism to ensure viable and enduring solutions to global peace and security. A more representative Security Council would add credibility and vitality to such efforts. India has an impeccable non-proliferation

record and is committed to working with the international community to advance our common non-proliferation and disarmament objectives so that we are able to fulfil the vision of a world free of nuclear weapons. We hope that the Security Council summit meeting will spur international efforts in that direction.

United Nations S/2009/484

# Security Council

Distr.: General
23 September 2009

Original: English

## Letter dated 23 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council

I have the honour to refer to the invitation to Member States that are not members of the Security Council to submit written statements for the summit in connection with nuclear non-proliferation and disarmament, to be held on 24 September 2009. In this regard, I would appreciate it if you, in your capacity as President of the Security Council for the month of September, would circulate the attached statement as a document of the Security Council (see annex).

(*Signed*) Maria Luiza **Ribeiro Viotti**
Ambassador
Permanent Representative to the United Nations

09-52299 (E) 240909

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## Annex to the letter dated 23 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council

## Written statement by Brazil for the Security Council summit held in connection with nuclear non-proliferation and nuclear disarmament

This timely initiative to hold a special meeting of the Security Council on nuclear disarmament and non-proliferation brings renewed hope of consolidating the current positive momentum for advancing the disarmament and non-proliferation agenda. There is a clear and inextricable link between disarmament and non-proliferation. They are mutually reinforcing. The best guarantee against nuclear proliferation is nuclear disarmament.

The very existence of nuclear weapons is a serious threat to peace and security. Only through a commitment at the highest level will it be possible to overcome the remaining challenges to a nuclear-weapons-free world. Since the end of the Cold War, there have been significant reductions in nuclear arsenals, but their total elimination — to which the nuclear-weapon States are obligated and unequivocally committed — is far from being achieved.

For meaningful and enduring results in nuclear disarmament and non-proliferation, Brazil considers it essential that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the obligations that stem from it, including the commitments made at the 1995 and 2000 Review Conferences, are fully implemented. Results also depend on balanced progress in the Treaty's three main "pillars": disarmament, non-proliferation and the peaceful uses of nuclear energy. Tilting this balance will ultimately compromise the Treaty's legitimacy and efficacy and therefore undermine the disarmament and non-proliferation regime.

Firm and irreversible steps must be taken in the path towards a world free of nuclear weapons. Bringing the CTBT into force would be a major factor in strengthening the international disarmament and non-proliferation regime. Brazil welcomes the Conference to Facilitate the Entry into Force of the CTBT that is being held this week, as well as the commitment by certain States to pursue ratification of the Treaty or accession to it. Pending the entry into force of the Treaty, States should refrain from conducting nuclear tests.

Resuming substantive negotiations at the Conference on Disarmament is another essential step. After nearly twelve years of deadlock, a programme of work was adopted in 2009. Next year's session must not go back to square one, but start negotiations promptly, on the basis of the programme of work, on issues such as a fissile materials treaty, the prevention of an arms race in outer space and negative security assurances. Substantive discussions on nuclear disarmament must also be initiated.

Extending the concept of nuclear-weapon-free zones to other areas of the world, freely agreed upon by the States of a region, is also a positive contribution to nuclear disarmament and non-proliferation efforts. As a member of the first nuclear-weapon-free zone in a densely populated area, Brazil is convinced of the pertinence and usefulness of this approach.

Brazil takes note of the draft resolution submitted by the United States for consideration by the Security Council, and recognizes its positive contribution in putting greater focus on nuclear disarmament and non-proliferation issues. We believe, however, that a more assertive reaffirmation of the commitment to the total elimination of nuclear weapons and the provision of a clear and irreversible path to achieve that goal would have better reflected the aspirations of the great majority of mankind.

When dealing with nuclear issues the Security Council must bear in mind its primary responsibility in the field of international peace and security. A balanced approach to the nuclear issues can only be attained when rights and obligations are accorded equal importance. Nuclear technology has proven itself an important tool for the promotion of social and economic development and peace, and, in this sense, the right to develop, research, produce and use of nuclear energy for peaceful uses, in accordance with the NPT, should not be restricted.

United Nations S/2009/485

Security Council

Distr.: General
23 September 2009

Original: English

**Letter dated 23 September 2009 from the Permanent Representative of Italy to the United Nations addressed to the President of the Security Council**

I have the honour to submit the attached written statement of Italy for the Security Council summit on nuclear disarmament and non-proliferation, which will be held on 24 September 2009 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Giulio **Terzi di Sant'Agata**

09-52293 (E) 240909

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## Annex to the letter dated 23 September 2009 from the Permanent Representative of Italy to the United Nations addressed to the President of the Security Council

Italy welcomes the adoption by the Security Council, on 24 September 2009, of the resolution on nuclear non-proliferation and disarmament, and fully supports it.

We are resolved to seize the new international momentum to strengthen the common non-proliferation and disarmament goals through effective multilateralism and determined national efforts. We are committed to seeking a safer world for all and to creating the conditions for a world without nuclear weapons, in accordance with the Non-Proliferation Treaty.

As the NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament, Italy will work so that the 2010 NPT Review Conference can successfully strengthen the Treaty and set realistic and achievable goals in all its three pillars: non-proliferation, the peaceful use of nuclear energy and disarmament.

Consistent with the consolidated position of the European Union — enshrined in its 2003 Strategy against the proliferation of weapons of mass destruction — and with the G-8 Statement on non-proliferation issued at L'Aquila, Italy, will intensify efforts towards the early entry into force and universalization of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as one of the principal instruments of the international security architecture and a key measure of non-proliferation and disarmament.

We also strongly support the early commencement of international negotiations, at the Conference on Disarmament, on an effectively verifiable Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT).

Italy confirms its full support to the International Atomic Energy Agency (IAEA) and to the universal acceptance of its Comprehensive Safeguards Agreement and the Additional Protocol as the verification standard and as an essential tool for the effective implementation of the NPT non-proliferation objectives.

We reaffirm the inalienable right of NPT Parties to the peaceful uses of nuclear energy, in conformity with their Treaty obligations, as compliance and effective verification will not hinder the use of nuclear energy, but rather facilitate its safe and secure development and deployment as energy source. We encourage the work of the IAEA on multilateral approaches to the nuclear fuel cycle, including assurances of nuclear fuel supply, as effective means of addressing the expanded need for nuclear fuel services, while taking into account the global interest in minimizing the risk of proliferation.

United Nations S/2009/486

Security Council

Distr.: General
23 September 2009

Original: English

**Letter dated 23 September 2009 from the Permanent Representative of Norway to the United Nations addressed to the President of the Security Council**

On instructions from my Government, I have the honour to submit the attached statement of Norway on the item on nuclear non-proliferation and nuclear disarmament, to be considered by the Security Council on Thursday, 24 September (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Morten **Wetland**
Ambassador
Permanent Representative

09-52287 (E) 240909

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## Annex to the letter dated 23 September 2009 from the Permanent Representative of Norway to the United Nations addressed to the President of the Security Council

## Nuclear disarmament and non-proliferation

Norway welcomes the initiative by the presidency of the United Nations Security Council to address nuclear disarmament and non-proliferation. The spectre of nuclear attack constitutes a threat to international peace and security. Norway fully subscribes to the overall political objective of creating a safer world without nuclear weapons.

Norway considers the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to be the main avenue for achieving the elimination of nuclear weapons. This Treaty has been a cornerstone of collective security for nearly 40 years, but it is under growing strain. The Review Conference next year will be crucial to reasserting the authority and legitimacy of the NPT.

Norway supports a comprehensive and balanced approach between the three pillars of the NPT: disarmament, non-proliferation and peaceful uses. Full nuclear disarmament can only be achieved if it is accompanied by confidence in compliance with the non-proliferation regime. At the same time, measures aimed at creating a robust non-proliferation regime will be greatly facilitated by an unequivocal and irreversible process towards the full elimination of existing nuclear arsenals. A strengthened non-proliferation regime must at the same time facilitate peaceful uses of nuclear energy and other civilian nuclear applications.

### Nuclear disarmament

Nuclear disarmament is a fundamental pillar of the NPT. The overall objective of the NPT, as set out in the preamble and not least in article VI, is to achieve the total elimination of nuclear arsenals. This commitment was further strengthened by the outcomes of the 1995 Review and Extension Conference and the 2000 Review Conference. While reaffirming these commitments, Norway in particular advocates:

- Continued reductions in nuclear arsenals. The negotiations between the United States and the Russian Federation should be the beginning of a comprehensive and irreversible disarmament process covering all types of nuclear weapons and should eventually be extended to include other nuclear weapon States.
- Measures to prevent any potential new nuclear arms races. An entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and an early negotiation of a verifiable Fissile Material Cut-off Treaty (FMCT) should be given highest priority.
- Efforts to gradually bring existing stocks of fissile materials under IAEA safeguards with a view to conversion for civilian purposes or destruction.
- Urgent steps to reduce the security policy role of nuclear weapons. Nuclear-weapons-free zones and negative security assurances reduce the geographical scope of nuclear arms.

- A lowering of the operational status of deployed weapons in order to prevent accidental launches and to allow decision makers more time in crisis situations.

- Efforts to enhance transparency of existing stocks of nuclear weapons and of disarmament efforts. Ways of enabling non-nuclear-weapons States to verify nuclear disarmament in accordance with the non-proliferation obligations of the NPT should be developed.

- That no political status be accorded to the possession of nuclear weapons.

**Nuclear non-proliferation**

Nuclear non-proliferation and nuclear security are essential for maintaining international peace and stability. Non-proliferation is a prerequisite for achieving our goal of a world free of nuclear weapons. The NPT has established a fundamental norm by emphasizing verification and confidence-building. New security threats make it all the more imperative to strengthen the non-proliferation dimension of the NPT. Norway in particular advocates:

- Continued efforts to solve politically outstanding proliferation matters, such as those posed by the Democratic People's Republic of Korea (DPRK) and Iran, on the basis of relevant United Nations Security Council resolutions.

- Providing the IAEA with the necessary political and financial support to carry out its crucial task of administering international safeguards to ensure that nuclear technology for peaceful purposes is not diverted to nuclear weapons programmes. The IAEA should be equipped with advanced technologies to improve its data collection and further develop its cooperation network with qualified laboratories.

- Urging those countries that have not done so to ratify and implement the IAEA Comprehensive Safeguards Agreement and the Additional Protocol without delay.

- Further progress in the area of an international nuclear fuel cycle and the establishment of a fuel bank under IAEA auspices.

- Full implementation of United Nations Security Council resolution 1540 (2004) as well as subsequent follow-up resolutions.

- Recognition of the importance of the Proliferation Security Initiative (PSI) as well as the G8 Global Partnership against the spread of Weapons and Materials of Mass Destruction and the Global Initiative to Combat Nuclear Terrorism.

- Universal adherence to the Convention on the Suppression of Acts of Nuclear Terrorism, the revised Convention on the Physical Protection of Nuclear Material, as well as relevant IAEA codes of conduct and guidelines on nuclear security.

- Provision of financial resources to the IAEA Nuclear Security Fund.

- Support for voluntary cooperation on conversion from highly enriched uranium to low-enriched uranium in civilian nuclear reactors, with a view in the long term to establishing a norm against using highly enriched uranium in the civilian sector.

**Peaceful uses of nuclear energy**

Norway fully supports the inalienable right to peaceful uses of nuclear energy as stipulated in article IV of the NPT and in conformity with articles I, II and III of the Treaty. Civilian nuclear applications are not only limited to nuclear energy, and are relevant in the health sector, in agriculture, water management and environmental monitoring. Peaceful nuclear applications represent an important contribution to our joint efforts to reach the United Nations Millennium Development Goals. However, it is vital that peaceful uses of nuclear technology do not undermine non-proliferation efforts, nuclear security or safety. Norway therefore advocates:

- Efforts towards reaching a common understanding on developing multilateral nuclear fuel cycle arrangements under IAEA guidance, which are proliferation-resistant and take into account the concerns of developing countries.
- Full adherence to relevant IAEA nuclear safety instruments, and efforts to ensure that the Agency provides essential assistance and expertise to assist member States in implementing their safety obligations.
- Efforts to ensure predictable and sufficient funding for safety activities of the IAEA.
- Increased funding for the IAEA's technical cooperation programmes with developing countries for peaceful nuclear applications.

**Sustaining the NPT**

Norway calls for universal adherence to the NPT. Countries that have not yet done so are urged to sign and ratify the Treaty as non-nuclear-weapons States, and to place their nuclear activities under IAEA safeguards.

Norway encourages further efforts to create a zone free of weapons of mass destruction and their means of delivery in the Middle East, in accordance with the Middle East resolution adopted at the NPT 1995 Review and Extension Conference.

Withdrawal from the NPT would represent a serious challenge to international security. Such cases would have to be addressed by the United Nations Security Council. Measures to discourage any withdrawal from the NPT should be considered urgently.

The primary task of the 2010 Review Conference is to revive a broad-based, common understanding on how to address the nuclear threat, and to ensure that peaceful applications of nuclear energy are not diverted for weapons purposes. The Review Conference should agree on a programme of work up to 2015, and on steps to be taken beyond that year. The Conference should also reach agreement on a strengthened Review Process.

United Nations S/2009/487

Security Council

Distr.: General
24 September 2009

Original: English

## Letter dated 22 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council

I have the honour to bring to your attention and that of the members of the Security Council recent developments in Honduras regarding the safety of the constitutional President of Honduras, José Manuel Zelaya Rosales, and the security of the Embassy of Brazil in Tegucigalpa.

As you are aware, President Zelaya has taken shelter in the Brazilian Embassy. He entered the country by his own means and made his way peacefully to the Chancery of the Brazilian diplomatic representation in that capital.

Brazil believes that the Organization of American States continues to be the appropriate forum wherein a political solution should be found to the situation in Honduras.

However, given the measures taken against the Brazilian Embassy in Tegucigalpa and the content of the attached note by the de facto authorities (see annex), my Government is concerned about the safety of President Zelaya and about the security and the physical integrity of the Embassy premises and personnel.

In the light of the foregoing, and in accordance with Article 35 (1) of the Charter of the United Nations and rule 3 of the provisional rules of procedure of the Security Council, I kindly request that an urgent meeting of the Council be convened. The purpose of the meeting would be to inform Council members of the current situation related to the presence of President Zelaya in the Embassy of Brazil in order to prevent any action that might further aggravate the situation.

Should such a meeting take place, I request that the Government of Brazil be allowed to participate in it, under rule 37 of the provisional rules of procedure of the Security Council.

(*Signed*) Maria Luiza Ribeiro **Viotti**
Permanent Representative of Brazil to the United Nations

09-52380 (E) 240909

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## Annex to the letter dated 22 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council

[Original: Spanish]

The Ministry of Foreign Affairs presents its compliments to the diplomatic mission of Brazil and hereby informs it that the fact that it condones the issuance, from its premises, of public calls for insurrection and political mobilization by Mr. José Manuel Zelaya Rosales, a fugitive from Honduran justice, is unacceptable to the Government of the Republic. Such interference in matters that exclusively concern the Honduran people is to be condemned, and the authorities therefore strongly protest it as a flagrant violation of international law.

Such condonation and provocation from the premises of the Brazilian mission are contrary to the rules of diplomatic law and render the mission and its Government directly responsible for any violence that these acts may incite either within or outside the mission.

For its information, the State of Honduras hereby announces that it will, as a preventive measure, provide security to the individuals and property on the mission's premises.

The Ministry of Foreign Affairs takes this opportunity to convey to the diplomatic mission of Brazil the assurances of its consideration.

Tegucigalpa, 21 September 2009

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To the diplomatic mission of Brazil
Tegucigalpa

United Nations S/2009/488

Security Council

Distr.: General
25 September 2009

Original: English

## Note verbale dated 24 September 2009 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the President of the Security Council for the month of September and with regard to the baseless allegations levelled against my country regarding the peaceful nuclear activities of the Islamic Republic of Iran, has the honour to request that the annexed reply be circulated as a document of the Security Council (see annex).

09-52457 (E) 290909

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## Annex to the note verbale dated 24 September 2009 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

In the name of God, the Compassionate, the Merciful

## Position of the Islamic Republic of Iran regarding the allegations levelled against its peaceful nuclear activities at the summit of the United Nations Security Council held on 24 September 2009

In the light of today's discussions at the Security Council meeting, the Permanent Mission of the Islamic Republic of Iran wishes to state the following with regard to the allegations made by some Heads of State or Government, including France and the United Kingdom, against Iran's peaceful nuclear programme:

- These allegations are totally untrue and without any foundation. Iran's nuclear activities are, and always have been, for peaceful purposes, and therefore pose no threat whatsoever.

- This meeting of the Security Council has been claimed to promote the implementation of nuclear disarmament obligations. Obligations which the permanent members of the Council, as recognized nuclear-weapon States, have made pledges on their implementation. Pledges the world expects them to keep and to fulfil.

- Allegations made by the French President against Iran's nuclear programme are a preposterous attempt to disguise the abysmal record of France in non-compliance with its nuclear disarmament obligations. France should comply fully and immediately with its obligations under article VI of the NPT instead of continuing with the web of fear-mongering, falsehoods and obfuscation that it has woven.

- We should also remind ourselves that the United Kingdom, over a number of years, has deliberately and cynically ignored its legal commitments as a State Party to the NPT to take practical steps to accomplish the total elimination of its unjustifiable nuclear arsenals under article VI of the NPT. To come into full compliance with its nuclear disarmament obligations, the United Kingdom should undertake promptly all the measures demanded of it by the international community in terms of practical steps agreed upon at the 2000 NPT Review Conference, for example, freezing modernization of its nuclear arsenals, abandoning any efforts to develop new weapons of mass killing. Therefore, the United Kingdom is in no good standing to pass judgement on others.

- We would like, however, to make one thing clear: in practising its legitimate right to develop nuclear energy technology, Iran has always maintained its need for nuclear power as an alternative source of energy to supply its booming population and rapid development. In doing so, the Government of the Islamic Republic of Iran takes its responsibilities under the NPT seriously. Our commitment to non-proliferation remains intact. In this regard, the IAEA has repeatedly confirmed the peaceful nature of Iran's nuclear programme.

- In conclusion, the Islamic Republic of Iran reiterates its readiness to engage in serious and constructive negotiations with interested parties, based on respect, justice, the rights of nations and collective commitments, aimed at reaching a framework for cooperative relationships. At the same time, we believe that as a prerequisite for success in future negotiations, futile and illegal demands of the past years that have proved to be of no avail should be abandoned.

United Nations S/2009/489

# Security Council

Distr.: General
29 September 2009

Original: English

**Albania, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Panama, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, and United States of America: draft resolution**

*The Security Council,*

*Reaffirming* its commitment to the continuing and full implementation of resolutions 1325 (2000), 1612 (2005), 1674 (2006), 1820 (2008) and 1882 (2009) and all relevant statements of its President,

*Welcoming* the report of the Secretary-General of 16 July 2009 (S/2009/362), but remaining deeply concerned over the lack of progress on the issue of sexual violence in situations of armed conflict in particular against women and children, notably against girls, and noting as documented in the Secretary-General's report that sexual violence occurs in armed conflicts throughout the world,

*Reiterating deep concern* that, despite its repeated condemnation of violence against women and children including all forms of sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic or widespread,

*Recalling* the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the Twenty-First Century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

*Reaffirming* the obligations of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol thereto, the Convention on the Rights of the Child and the Optional Protocols thereto, and urging states that have not yet done so to consider ratifying or acceding to them,



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*Recalling* that international humanitarian law affords general protection to women and children as part of the civilian population during armed conflicts and special protection due to the fact that they can be placed particularly at risk,

*Recalling* the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against civilians, and in this regard, noting with concern that only limited numbers of perpetrators of sexual violence have been brought to justice, while recognizing that in conflict and in post conflict situations national justice systems may be significantly weakened,

*Reaffirming* that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses, *drawing attention* to the full range of justice and reconciliation mechanisms to be considered, including national, international and "mixed" criminal courts and tribunals and truth and reconciliation commissions, and *noting* that such mechanisms can promote not only individual responsibility for serious crimes, but also peace, truth, reconciliation and the rights of the victims,

*Recalling* the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court and the statutes of the ad hoc international criminal tribunals,

*Stressing* the necessity for all States and non-State parties to conflicts to comply fully with their obligations under applicable international law, including the prohibition on all forms of sexual violence,

*Recognizing* the need for civilian and military leaders, consistent with the principle of command responsibility, to demonstrate commitment and political will to prevent sexual violence and to combat impunity and enforce accountability, and that inaction can send a message that the incidence of sexual violence in conflicts is tolerated,

*Emphasizing* the importance of addressing sexual violence issues from the outset of peace processes and mediation efforts, in order to protect populations at risk and promote full stability, in particular in the areas of pre-ceasefire humanitarian access and human rights agreements, ceasefires and ceasefire monitoring, Disarmament, Demobilization and Reintegration (DDR), Security Sector Reform (SSR) arrangements, justice and reparations, post-conflict recovery and development,

*Noting with concern* the underrepresentation of women in formal peace processes, the lack of mediators and ceasefire monitors with proper training in dealing with sexual violence, and the lack of women as Chief or Lead peace mediators in United Nations-sponsored peace talks,

*Recognizing* that the promotion and empowerment of women and that support for women's organizations and networks are essential in the consolidation of peace to promote the equal and full participation of women and *encouraging* Member States, donors, and civil society, including non-governmental organizations, to provide support in this respect,

*Welcoming* the inclusion of women in peacekeeping missions in civil, military and police functions, and *recognizing* that women and children affected by armed

conflict may feel more secure working with and reporting abuse to women in peacekeeping missions, and that the presence of women peacekeepers may encourage local women to participate in the national armed and security forces, thereby helping to build a security sector that is accessible and responsive to all, especially women,

*Welcoming* the efforts of the Department of Peacekeeping Operations to develop gender guidelines for military personnel in peacekeeping operations to facilitate the implementation of resolutions 1325 (2000) and 1820 (2008), and operational guidance to assist civilian, military and police components of peacekeeping missions to effectively implement resolution 1820 (2008),

*Having considered* the report of the Secretary-General of 16 July 2009 (S/2009/362) and *stressing* that the present resolution does not seek to make any legal determination as to whether situations that are referred to in the Secretary-General's report are or are not armed conflicts within the context of the Geneva Conventions and the Additional Protocols thereto, nor does it prejudge the legal status of the non-State parties involved in these situations,

*Recalling* the Council's decision in resolution 1882 of 4 August 2009 (S/RES/1882) to expand the Annexed list in the Secretary General's annual report on Children and Armed Conflict of parties in situations of armed conflict engaged in the recruitment or use of children in violation of international law to also include those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence against children, in situations of armed conflict,

*Noting* the role currently assigned to the Office of the Special Adviser on Gender Issues to monitor implementation of resolution 1325 and to promote gender mainstreaming within the United Nations system, women's empowerment and gender equality, and *expressing* the importance of effective coordination within the United Nations system in these areas,

*Recognizing* that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory as provided for by relevant international law,

*Reaffirming* that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

*Reiterating* its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to continue to address the widespread impact of armed conflict on civilians, including with regard to sexual violence,

1. *Reaffirms* that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security; *affirms* in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security; and *expresses its readiness*, when considering situations on the agenda of the Council, to take, where necessary, appropriate steps to address widespread or systematic sexual violence in situations of armed conflict;

2. *Reiterates* its demand for the complete cessation by all parties to armed conflict of all acts of sexual violence with immediate effect;

3. *Demands* that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, including measures such as, inter alia, enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence and vetting candidates for national armies and security forces to ensure the exclusion of those associated with serious violations of international humanitarian and human rights law, including sexual violence;

4. *Requests* that the United Nations Secretary-General appoint a Special Representative to provide coherent and strategic leadership, to work effectively to strengthen existing United Nations coordination mechanisms, and to engage in advocacy efforts, inter alia with governments, including military and judicial representatives, as well as with all parties to armed conflict and civil society, in order to address, at both headquarters and country level, sexual violence in armed conflict, while promoting cooperation and coordination of efforts among all relevant stakeholders, primarily through the inter-agency initiative "United Nations Action Against Sexual Violence in Conflict";

5. *Encourages* the entities comprising UN Action Against Sexual Violence in Conflict, as well as other relevant parts of the United Nations system, to support the work of the aforementioned Special Representative of the Secretary-General and to continue and enhance cooperation and information sharing among all relevant stakeholders in order to reinforce coordination and avoid overlap at the headquarters and country levels and improve system-wide response;

6. *Urges* States to undertake comprehensive legal and judicial reforms, as appropriate, in conformity with international law, without delay and with a view to bringing perpetrators of sexual violence in conflicts to justice and to ensuring that survivors have access to justice, are treated with dignity throughout the justice process and are protected and receive redress for their suffering;

7. *Urges* all parties to a conflict to ensure that all reports of sexual violence committed by civilians or by military personnel are thoroughly investigated and the alleged perpetrators brought to justice, and that civilian superiors and military commanders, in accordance with international humanitarian law, use their authority and powers to prevent sexual violence, including by combating impunity;

8. *Calls upon* the Secretary-General to identify and take the appropriate measures to deploy rapidly a team of experts to situations of particular concern with respect to sexual violence in armed conflict, working through the United Nations presence on the ground and with the consent of the host government, to assist national authorities to strengthen the rule of law, and *recommends* making use of existing human resources within the United Nations system and voluntary contributions, drawing upon requisite expertise, as appropriate, in the rule of law, civilian and military judicial systems, mediation, criminal investigation, security sector reform, witness protection, fair trial standards, and public outreach; to, inter alia:

(a) Work closely with national legal and judicial officials and other personnel in the relevant governments' civilian and military justice systems to address impunity, including by the strengthening of national capacity, and drawing attention to the full range of justice mechanisms to be considered;

(b) Identify gaps in national response and encourage a holistic national approach to address sexual violence in armed conflict, including by enhancing criminal accountability, responsiveness to victims, and judicial capacity;

(c) Make recommendations to coordinate domestic and international efforts and resources to reinforce the government's ability to address sexual violence in armed conflict;

(d) Work with the United Nations Mission, Country Team, and the aforementioned Special Representative of the Secretary-General as appropriate towards the full implementation of the measures called for by resolution 1820 (2008);

9. *Encourages* States, relevant United Nations entities and civil society, as appropriate, to provide assistance in close cooperation with national authorities to build national capacity in the judicial and law enforcement systems in situations of particular concern with respect to sexual violence in armed conflict;

10. *Reiterates its intention*, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including, where appropriate, designation criteria pertaining to acts of rape and other forms of sexual violence; and *calls* upon all peacekeeping and other relevant United Nations missions and United Nations bodies, in particular the Working Group on Children and Armed Conflict, to share with relevant United Nations Security Council sanctions committees, including through relevant United Nations Security Council Sanction Committees' monitoring groups and groups of experts, all pertinent information about sexual violence;

11. *Expresses its intention* to ensure that resolutions to establish or renew peacekeeping mandates contain provisions, as appropriate, on the prevention of, and response to, sexual violence, with corresponding reporting requirements to the Council;

12. *Decides* to include specific provisions, as appropriate, for the protection of women and children from rape and other sexual violence in the mandates of United Nations peacekeeping operations, including, on a case-by-case basis, the identification of women's protection advisers (WPAs) among gender advisers and human rights protection units, and requests the Secretary-General to ensure that the need for, and the number and roles of WPAs are systematically assessed during the preparation of each United Nations peacekeeping operation;

13. *Encourages* States, with the support of the international community, to increase access to health care, psychosocial support, legal assistance and socio economic reintegration services for victims of sexual violence, in particular in rural areas;

14. *Expresses* its intention to make better usage of periodical field visits to conflict areas, through the organization of interactive meetings with the local women and women's organizations in the field about the concerns and needs of women in areas of armed conflict;

15. *Encourages* leaders at the national and local level, including traditional leaders where they exist and religious leaders, to play a more active role in sensitizing communities on sexual violence to avoid marginalization and stigmatization of victims, to assist with their social reintegration, and to combat a culture of impunity for these crimes;

16. *Urges* the Secretary General, Member States and the heads of regional organizations to take measures to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding;

17. *Urges* that issues of sexual violence be included in all United Nations-sponsored peace negotiation agendas, and *also urges* inclusion of sexual violence issues from the outset of peace processes in such situations, in particular in the areas of pre-ceasefires, humanitarian access and human rights agreements, ceasefires and ceasefire monitoring, DDR and SSR arrangements, vetting of armed and security forces, justice, reparations, and recovery/development;

18. *Reaffirms* the role of the Peacebuilding Commission in promoting inclusive gender-based approaches to reducing instability in post-conflict situations, noting the important role of women in rebuilding society, and *urges* the Peacebuilding Commission to encourage all parties in the countries on its agenda to incorporate and implement measures to reduce sexual violence in post-conflict strategies;

19. *Encourages* Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations, and to provide all military and police personnel with adequate training to carry out their responsibilities;

20. *Requests* the Secretary-General to ensure that technical support is provided to troop and police contributing countries, in order to include guidance for military and police personnel on addressing sexual violence in predeployment and induction training;

21. *Requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations; and *urges* troop and police contributing countries to take appropriate preventative action, including predeployment and in-theater awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

22. *Requests* that the Secretary-General continue to direct all relevant United Nations entities to take specific measures to ensure systematic mainstreaming of gender issues within their respective institutions, including by ensuring allocation of adequate financial and human resources within all relevant offices and departments and on the ground, as well as to strengthen, within their respective mandates, their cooperation and coordination when addressing the issue of sexual violence in armed conflict;

23. *Urges* relevant Special Representatives and the Emergency Relief Coordinator of the Secretary-General, with strategic and technical support from the UN Action network, to work with Member States to develop joint Government-United Nations Comprehensive Strategies to Combat Sexual Violence, in

consultation with all relevant stakeholders, and to regularly provide updates on this in their standard reporting to Headquarters;

24. *Requests* that the Secretary-General ensure more systematic reporting on incidents of trends, emerging patterns of attack, and early warning indicators of the use of sexual violence in armed conflict in all relevant reports to the Council, and *encourages* the Special Representatives of the Secretary-General, the Emergency Relief Coordinator, the High Commissioner for Human Rights, the Special Rapporteur on Violence against Women, and the Chairperson(s) of UN Action to provide, in coordination with the aforementioned Special Representative, additional briefings and documentation on sexual violence in armed conflict to the Council;

25. *Requests* the Secretary-General to include, where appropriate, in his regular reports on individual peacekeeping operations, information on steps taken to implement measures to protect civilians, particularly women and children, against sexual violence;

26. *Requests* the Secretary-General, taking into account the proposals contained in his report as well as any other relevant elements, to devise urgently and preferably within three months, specific proposals on ways to ensure monitoring and reporting in a more effective and efficient way within the existing United Nations system on the protection of women and children from rape and other sexual violence in armed conflict and post-conflict situations, utilizing expertise from the United Nations system and the contributions of national Governments, regional organizations, non-governmental organizations in their advisory capacity and various civil society actors, in order to provide timely, objective, accurate and reliable information on gaps in United Nations entities response, for consideration in taking appropriate action;

27. *Requests* that the Secretary-General continue to submit annual reports to the Council on the implementation of resolution 1820 (2008) and to submit his next report by September of 2010 on the implementation of this resolution and resolution 1820 (2008) to include, inter alia:

(a) a detailed coordination and strategy plan on the timely and ethical collection of information;

(b) updates on efforts by United Nations Mission focal points on sexual violence to work closely with the Resident Coordination/Humanitarian Coordinator (RC/HC), the United Nations Country Team, and, where appropriate, the aforementioned Special Representative and/or the Team of Experts, to address sexual violence;

(c) information regarding parties to armed conflict that are credibly suspected of committing patterns of rape or other forms of sexual violence, in situations that are on the Council's agenda;

28. *Decides* to review, taking into account the process established by General Assembly resolution 63/311 regarding a United Nations composite gender entity, the mandates of the Special Representative requested in operative paragraph 4 and the Team of Experts in operative paragraph 8 within two years, and as appropriate thereafter;

29. *Decides* to remain actively seized of the matter.

United Nations S/2009/490

# Security Council

Distr.: General
24 September 2009

Original: English

## Letter dated 18 September 2009 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

I have the honour to forward to you a concept paper for the Security Council open debate on the theme "Women and peace and security: responding to the needs of women and girls in post-conflict situations for sustainable peace and security", to be held on 5 October 2009 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) **Le Luong Minh**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

09-52450 (E) 280909

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## Annex to the letter dated 18 September 2009 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

## Responding to the needs of women and girls in post-conflict situations for sustainable peace and security

### Concept paper

1. With the adoption in 2000 of resolution 1325, the Security Council recognized the importance of gender mainstreaming at all stages of peace process, including peacekeeping, peacebuilding, and post-conflict reconstruction. The resolution provides impetus for actions by the Council, Member States, United Nations entities, civil society and other stakeholders to address peace and security matters in a coherent manner and with gender sensitivity. Since the resolution's adoption, the Secretary-General has submitted annual reports to the Council reviewing the process of its implementation, and the Council has adopted eight presidential statements and resolution 1820 (2008). These and other related documents emphasized that, for the maintenance and promotion of peace and security, actions had to be undertaken to address women's needs and ensure women's equal participation and full involvement in mediation and negotiation processes, in all aspects of peacekeeping, in the management of humanitarian assistance, and in the process of post-conflict reconstruction.

2. The implementation of Security Council resolutions 1325 (2000) and 1820 (2008), the Security Council presidential statements and other related documents have achieved significant gains, particularly in enhancing the protection of civilians in armed conflict, including women and girls, and promoting the participation of women in peace and security processes. However, the situation is far from satisfactory with gaps and challenges remaining, particularly in the post-conflict period, in which women's potential contribution to peacebuilding is constrained owing to their exclusion from decision-making processes and inadequate recognition of and financing for their needs. Recent reports and studies, including those by the United Nations Development Fund for Women (UNIFEM), reveal that there is a substantial gap in financing for women's needs in post-conflict situations. UNIFEM's review of almost 17,000 projects in consolidated and flash appeals for 23 post-conflict countries over the three years from 2006 to 2008 indicates that less than 3 per cent of projects submitted for funding explicitly target gender issues. Another study of provisions for women's needs in post-conflict needs assessments for eight countries reveals that just 8 per cent of proposed budgets included specific elements addressing women's needs.

3. A deficit in post-conflict funding for women's needs may reflect the inadequate participation of women in peacebuilding process, in particular in post-conflict planning and their underrepresentation in peace negotiations, mediation, security and justice reform. Also, according to UNIFEM, women accounted for, on average, just 7 per cent of negotiators on official negotiating delegations, and since 1992, only 2.4 per cent of signatories to peace agreements have been women.

4. The Secretary-General, in his 2009 report on peacebuilding in the immediate aftermath of conflict, notes that threats to peace are often most imminent in the earliest post-conflict stages. This period offers a crucial window of opportunity to ensure the full and effective implementation of Security Council resolution 1325 (2000).

5. In order to enhance and promote a coherent and effective response to women's needs in post-conflict reconstruction, women's participation in peacebuilding, planning and monitoring must be prioritized and supported from the earliest possible stages. Women's priorities must be addressed in conflict mediation, conflict resolution, peace negotiations and in early recovery initiatives. Neglect of women's needs in planning processes in conflict and post-conflict situations, in particular their needs for physical security, productive asset and income control, access to basic services, and access to decision-making, can impose serious costs on recovery and undermine the efforts to reassert the rule of law and restart the economy.

6. For their essential role in peace processes, until women's needs, priorities and concerns in conflict situations are addressed and resourced in a timely and systematic way, post-conflict reconstruction would continue to fall short of delivering effective and sustainable peace and development dividends. The Vietnamese presidency of the Security Council will convene on 5 October 2009 an open debate on the theme "Responding to the needs of women and girls in post-conflict situations for sustainable peace and security", in order to provide a forum for the Security Council, Member States and other organizations to review the implementation of resolution 1325 (2000) and related documents and discuss further measures to respond to the needs of women and girls in post-conflict situations with a view to enhancing their participation and involvement in peace processes, thus contributing to the maintenance of peace and security. The open debate will be presided over by Deputy Prime Minister and Minister for Foreign Affairs Pham Gia Khiem.

7. In this regard, Viet Nam invites the Council, Member States and other organizations to exchange views on and discuss the following:

- Review of the implementation of resolution 1325 (2000) and related documents
- Evaluation of the impacts of conflicts on women and girls and assessment of their needs in post-conflict situation
- Identification of ways and means to promote and sustain women's role in post-conflict reconstruction and reintegration, election, justice, and security sector reforms; and women's participation in nation-building, governance and policymaking bodies for socio-economic development, especially those for policies benefiting women and girls
- Coordinated and coherent support by the United Nations system for national capacity development initiatives in addressing the security, recovery and development needs of women and girls in post-conflict situations, with due respect for local particularities
- Role of Member States in ensuring women's empowerment, both political and economic, the protection of women's and girls' rights, and measures to

promote women's participation in all post-conflict activities and gender mainstreaming in post-conflict strategies

- Preparations for the tenth anniversary of resolution 1325 (2000).

United Nations A/64/374–S/2009/491

General Assembly
Security Council

Distr.: General
28 September 2009

Original: English

**General Assembly**
**Sixty-fourth session**
Agenda item 20
**The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development**

**Security Council**
**Sixty-fourth year**

## Identical letters dated 23 September 2009 from the Permanent Representative of Mexico to the United Nations addressed to the President of the General Assembly and the President of the Security Council

In my capacity of President of the Rio Group, I have the honour to transmit herewith the statement issued on 22 September 2009, by the Ministers for Foreign Affairs of the Rio Group on the situation in Honduras (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 20, and of the Security Council.

(*Signed*) Claude **Heller**
Ambassador
Permanent Representative

09-52493 (E) 300909

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## Annex to the identical letters dated 23 September 2009 from the Permanent Representative of Mexico to the United Nations addressed to the President of the General Assembly and the President of the Security Council

[Original: Spanish]

The Permanent Mechanism for Consultation and Concerted Political Action expresses its continued concern about the serious crisis in the Republic of Honduras and recalls its statements of 26 and 28 June 2009, as well as the statement by the Heads of State and Government on 29 June in Managua, in which it reiterated its outright condemnation of the coup d'état in the Republic of Honduras that subverted the constitutional and democratic order in that country, and reaffirms its demand that José Manuel Zelaya should be reinstated to the office of President in a peaceful and orderly manner. The member States of the Permanent Mechanism also reaffirm the provisions of the resolutions adopted by the Organization of American States (OAS) and of General Assembly resolution 63/301.

The Rio Group reaffirms its commitment to dialogue and political consensus. In that regard, it reiterates its demand that President Manuel José Zelaya should be reinstated immediately and unconditionally to the office for which he was duly elected and calls for a peaceful resolution of the crisis through dialogue and national reconciliation as a matter of urgency.

The Rio Group supports the peaceful return to Honduras of José Manuel Zelaya Rosales, who was elected President under the Constitution, condemns the acts of violence carried out by the de facto Government in the past few hours in the vicinity of the diplomatic mission of Brazil, demands also that the personal safety of diplomatic officials accredited to Honduras should be fully ensured, and condemns the acts of intimidation against that mission. The Group also demands that the personal safety of President Zelaya, his family and his staff should be ensured.

The Rio Group strongly urges that the inviolability of the diplomatic mission of Brazil in Tegucigalpa should be secured in strict compliance with the Vienna Convention on Diplomatic Relations.

The Permanent Mechanism also demands that the de facto authorities should, with immediate effect, put an end to the acts of repression against the civilian population and to the violations of the human rights of all Honduran citizens, and refrain from deepening the current crisis in the country. It calls upon relevant international human rights bodies to closely monitor the human rights situation in Honduras.

The Rio Group supports the steps taken by the Secretary-General of OAS in order to restore constitutional order in Honduras.

The Rio Group will remain seized of the situation in Honduras.

New York, 22 September 2009

United Nations S/2009/492

# Security Council

Distr.: General
25 September 2009

Original: English

## Note by the President of the Security Council

The attached letter, dated 24 September 2009, from the Permanent Observer of the Holy See to the United Nations, was addressed to the President of the Security Council (see annex). In accordance with the request contained in the letter, the President is circulating it, together with its enclosure, as a document of the Security Council.

09-52568 (E) 290909

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## Annex

### Letter dated 24 September 2009 from the Permanent Observer of the Holy See to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you the enclosed written statement for the Security Council summit in connection with nuclear non-proliferation and nuclear disarmament which took place today in the Security Council Chamber (see enclosure).

I would greatly appreciate it if the present letter and its enclosure could be circulated as a document of the Security Council, under rule 39 of the Rules of Procedure.

(*Signed*) Archbishop **Celestino Migliore**
Apostolic Nuncio
Permanent Observer of the Holy See

Enclosure

## Statement by H.E. Archbishop Dominique Mamberti, Secretary for Relations with States of the Holy See

## Security Council summit on nuclear non-proliferation and nuclear disarmament

## 24 September 2009

The Holy See supports the initiative undertaken by the Security Council, presided over this month by the United States, to convene a Summit at the level of Heads of State and Government to discuss nuclear non-proliferation and nuclear disarmament. This is a very timely and crucial event considering that it is being held in conjunction with the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, where nine ratifications are still required for its entry into force. Furthermore, it is conducted in close proximity to the 2010 Nuclear Non-Proliferation Treaty Review Conference, aimed at promoting universal adherence to, compliance with and full implementation of the Treaty. The Summit could also be considered as a valid and concrete response to the global appeal to seize new political momentum and openness in nuclear disarmament.

At the outset, it should be recognized that the Security Council's approach to weapons of mass destruction, including efforts to prevent proliferation of such weapons, has been largely at the country or case-specific level. The Council has firmly acted against some States' nuclear programmes and has been strong in its preventive response to threats by non-State actors. No achievements, however, have been reached in formulating plans for the establishment of a system for the regulation of armaments (Art. 26),* in particular nuclear weapons and their proliferation, as a necessary element in maintaining international peace and security and creating an environment favourable to ensuring human advancement (Art. 11).*

Endorsed by the Summit's high-level participants and following the five-point proposal of the Secretary-General in October 2008, the Security Council has yet another great opportunity to become a strong guarantor of security to all non-nuclear-weapon States in that they will not be the subject of the use or threat of use of nuclear weapons. The Council is also encouraged to commence discussions and give concrete guidance on security issues in the nuclear disarmament and non-proliferation process. The Council should seize this moment and become a valid advocate in the cause of reaching a world free of nuclear weapons and take a leadership role in bolstering international support for multilateral nuclear arms control treaties and ongoing nuclear disarmament efforts. For this, the Holy See urges concerned States to adopt clear and firm decisions and commitments, and strive for a progressive and concerted nuclear disarmament.

Nuclear weapons assault life on the planet, they assault the planet itself, and in so doing they assault the process of the continuing development of the planet. In their nature, nuclear weapons are not only baneful but also completely fallacious. Taking into account that nuclear deterrence pertains to the Cold War era and is no longer justifiable in our days, the Holy See strongly advocates re-directing those

* The Charter of the United Nations.

military doctrines which continue to rely on nuclear weapons as a means of security and defence or even measure of power, which have evidently shown to be among the main causes preventing genuine nuclear disarmament and non-proliferation, thus jeopardizing the very integrity of the Non-Proliferation Treaty. Abandoning such doctrines is to freeze nuclear tests, still witnessed recently; it is to address seriously the issues of nuclear strategic arms, the tactical ones and the means of delivery of these weapons. The entry into force of the Comprehensive Nuclear-Test-Ban Treaty therefore is of the highest priority, and the realization of which requires concrete steps towards its ratification by nine States. The universal banning of explosions would inhibit the development of nuclear weapons, contributing to nuclear disarmament and non-proliferation, and preventing further damage to the environment. In this direction, it is crucial to halt the production and transfer of fissile material for weapons. The immediate commencement of a Fissile Material Cut-Off Treaty is a matter of responsibility and it must not be further delayed.

The Cold War era has given to the world a nuclear arms race, where the winner was the State with the biggest and most powerful arsenals of nuclear weapons. Today's world demands a courageous leadership in reducing those arsenals to a complete zero. In order to achieve this, States need trust and security. Nuclear-weapons-free zones are the best example of trust, confidence and affirmation that peace and security is possible without possessing nuclear weapons. The Holy See thus encourages the nuclear-weapon States and those which possess such weapons to ratify all the protocols to the Nuclear-Weapon-Free Zone treaties and strongly supports efforts to establish such a zone in the Middle East.

Celebration of the World Day of Peace on 21 September has concluded the Secretary-General's multiplatform campaign, "WMD-WeMustDisarm", aimed at raising awareness of the dangers and costs of nuclear weapons and whose acronym derives from that of weapons of mass destruction. The Holy See shares and firmly commends this strong message which must resonate in all the disarmament debates, leading to the creation of an environment favourable to ensuring human advancement (cf. Art. 11).* Disarmament and development are interrelated and complementary. Hence, to this campaign "We Must Disarm" we all may add: and the "World Must Develop" towards advancement of the culture of peace and achievement of the development goals for the enduring benefit of each individual member of the human family and for generations to come in a world free of nuclear weapons.

United Nations S/2009/493

Security Council

Distr.: General
2 October 2009

Original: English

# Identical letters dated 2 October 2009 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write this letter of complaint regarding a substantial increase in attacks emanating from the Hamas-controlled Gaza Strip. In the month of September alone, 13 rockets and mortars were fired at Israel — including one rocket earlier today — threatening nearly 1 million civilians who live in range of these deadly weapons. In addition, Israel has witnessed 15 other attacks launched with light weapons and with anti-tank missiles, respectively, as well as multiple attempts by terrorists to infiltrate Israel and plant explosives along the fence between the Gaza Strip and Israel.

While Israel seeks to renew the peace process, the aforementioned attacks reflect a dangerous trend. Israel expects the United Nations and the broader international community to condemn this latest surge of violence. Furthermore, I wish to stress that Israel will continue to act in self-defence in accordance with its inherent right under Article 51 of the Charter of the United Nations.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Gabriela **Shalev**
Ambassador
Permanent Representative

09-54130 (E) 051009

United Nations A/ES-10/462–S/2009/494

General Assembly
Security Council

Distr.: General
29 September 2009

Original: English

**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Sixty-fourth year**

## Identical letters dated 28 September 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

As we begin the sixty-fourth session of the General Assembly, we are reminded once again of the importance of this organization as the upholder and defender of international law in all circumstances and for all peoples. Yet even as the declarations spoken by world leaders before the General Assembly continue to resonate around the globe, the renewed sense of hope, prompted by their pledges to uphold the law and the purposes and principles of the United Nations, including by pursuit of the long overdue just and peaceful settlement of the question of Palestine, is being vehemently tested by the unchecked aggression and intransigence of Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem.

We write to you today with urgency to draw attention to the hostile and aggressive actions perpetrated on Sunday, 27 September, in Occupied East Jerusalem at the sacred compound of Al-Haram Al-Sharif. The Israeli occupying forces attacked Palestinian worshippers at Al-Haram Al-Sharif after midday prayers as they attempted to fend off over 150 Israeli extremists from breaking into the Holy Compound under the watch and guard of the occupying forces. Tear gas, rubber-coated steel bullets and batons were used in the Israeli attack against the Palestinian worshippers, which resulted in the injury of at least 40 civilians and the arrest of 5 others. Among the injured were 73-year-old Mohamad Al-Julani, who was shot by a rubber-coated steel bullet in the eye, 20-year-old Rami Al-Fakhourin, who was also shot in the eye by a rubber-coated steel bullet, and 31-year-old Adel Al-Alsilwadi, who was shot by a rubber-coated steel bullet in the chest.

Following the attack at Al-Haram Al-Sharif, the occupying Power deployed large military and police contingents throughout Occupied East Jerusalem and imposed the regrettably familiar punitive measures of collective punishment by closing off the Holy Compound.

09-53279 (E) 300909

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The clashes that ensued following the confrontation were painfully reminiscent of previous provocations, sanctioned by successive Israeli governments, that resulted in dangerous escalations on the ground in the Occupied Palestinian Territory. In this regard, it is imperative to recall that the provocative act perpetrated by Ariel Sharon, under the guard of hundreds of occupying forces, at Al-Haram Al-Sharif nine years ago to this day, on 28 September 2000, was the act that ignited the high tensions prevailing and led to the outbreak of the second Palestinian intifada (uprising) against the Israeli occupation.

Moreover, it cannot be overlooked that such provocations are constantly fuelled by the continuing incitement of Israeli officials who promote and support Israeli settlers and extremists whose actions fuel religious tensions, hostility and needless violence. Stark examples of such malicious, racist and aggressive incitement are the statements made by Arieh Eldad and Michael Ben Ari, two radical members of the Israeli Knesset, who criticized the Israeli occupation authorities for not cracking down hard enough on Palestinian worshippers. In the same vein, Uri Ariel, another radical Israeli parliamentarian, declared that the Israeli forces should do more to allow right-wing Israeli zealots into Al-Haram Al-Sharif.

As we alert the international community to the escalating tensions and instability on the ground, we must reiterate that the events of the past 24 hours are not the result of chance. Rather, they are the outcome of predetermined and wilful Israeli efforts, with official support, complicity and participation, to dodge commitments made in the peace process and thus continue to avert the resumption of this process towards the realization of its objectives, on which there is a firm international consensus. Undeniably, a clear trend exists of actions undertaken by successive Israeli governments to sabotage peace efforts, particularly when the international calls and the international will to end the occupation and achieve a just and lasting peace in the region are intense, as they are in the current period.

In this regard, it should be recalled that in 1996, Benjamin Netanyahu, Prime Minister at the time, provoked and fuelled a needless episode of violence and bloodshed by permitting the clandestine digging of a tunnel under Al-Haram Al-Sharif by Jewish extremists who publicly declare their goal of demolishing the Holy Compound. And in 2000, even as vigorous efforts were being exerted to advance the peace process by the United States administration of President Bill Clinton, it was under the watch of then Prime Minister Ehud Barak that opposition leader Ariel Sharon was permitted to enter Al-Haram Al-Sharif, which inflamed sensitivities and sparked widespread Palestinian protests, launching the intifada, and a violent Israeli response resulting in thousands of deaths and injuries as well as the imposition of severe and unlawful measures of collective punishment from which the Palestinian civilian population continues to suffer to this very day.

Moreover, we have repeatedly witnessed the escalation of Israeli colonization activities throughout all stages of the peace process over the past 16 years, in total contradiction to the goal of the peace process and in total defiance of the international will and consensus rejecting Israeli settlement activities and calling for their complete cessation. It is without doubt that such continuing illegal Israeli actions in the Occupied Palestinian Territory, particularly in and around Occupied East Jerusalem, have time and again obstructed peace efforts and called into question Israel's credibility as a peace partner and the viability of the process itself.

At this critical juncture, there is a renewed and overwhelming international rallying of support to restart final status negotiations between Palestinians and Israelis towards bringing a definitive end to the Israeli occupation that began in 1967, establishing a viable, contiguous, and sovereign Palestinian state, and hence achieving a just and lasting peace in the region. This was clearly evident during the general debate of the General Assembly, including, inter alia, in the pronouncements of United States President Barack Obama, and the Palestinian leadership, in line with its principled commitment to a peaceful resolution of the conflict, welcoming this international support.

However, the general debate also exposed the other part of the stalled peace equation: the clear determination of the current Israeli government to persist in its intransigence and obstruct any meaningful effort to reach peace. This was evident in the speech made by Israel's Prime Minister, who reaffirmed his government's disdain for the United Nations and the resolutions it has adopted on the question of Palestine on the basis of international law and principles. This disregard is also painfully evident on the ground, especially in Occupied East Jerusalem, where settlement activities persist, settlers are being transferred daily, and Palestinian civilians continue to be forcefully evicted from their homes, and their socio-economic life and connections to their brethren in the rest of the Occupied Palestinian Territory choked by the severe restrictions imposed by the occupying Power. Indeed, as Israeli bulldozers and occupation authorities continue to create new colonial facts on the ground in the Occupied Palestinian Territory, including East Jerusalem, the Israeli government is also trying to provoke violence and tension in order to buy time to perpetrate yet more violations of international law and commitments. This requires immediate attention and redress.

The international community cannot stand idly by as Israel, the occupying Power, persists in illegal and aggressive actions that will only serve to inflame tensions and instability and further conflict. Instead, the international community, including the Security Council, must exert the necessary efforts to uphold its responsibilities and legal obligations to protect and enforce international law. We must stand true to our agreed principles and defend international law from being turned into hollow words and empty promises by the intransigent behaviour of those who continue to act as States above the law.

We thus appeal for urgent action to quickly and decisively prevent the situation from further escalation and assist in promoting the appropriate environment, one characterized by respect for international law, for the resumption of accelerated peace negotiations for the achievement of the two-State solution on the basis of the 1967 borders, in accordance with the relevant Security Council resolutions, the principle of land for peace, the Arab Peace Initiative and the Roadmap.

This letter is in follow-up to our previous 343 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 September 2009 (A/ES-10/461-S/2009/453), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.